

STAND. COM. REP. NO.

1389

Honolulu, Hawaii

April 8, 2015

RE: S.B. No. 569
S.D. 1
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 569, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THEFT,"

begs leave to report as follows:

The purpose of this measure is to increase the minimum threshold value of stolen property or services from more than \$300 to more than \$400 for the offense of theft in the second degree.

The Office of the Public Defender and two individuals supported this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu, Community Alliance on Prisons, Chamber of Commerce Hawaii, and Hawaii Food Industry Association opposed this measure.

Your Committee finds that the current threshold for felony theft in Hawaii is one of the lowest in the nation and has not been adjusted in thirty years. The threshold value of \$750 was recommended by the Council on State Governments Justice Center in 2012 in its report, *Justice Reinvestment in Hawaii: Analyses & Policy Options to Reduce Spending on Corrections & Reinvest in Strategies to Increase Public Safety*. Updating the felony theft threshold will prevent lower level offenders from receiving felony charges.



Your Committee has amended this measure by:

- (1) Changing the threshold value of stolen property or services to more than \$750 rather than more than \$400;
- (2) Including language that provides an automatic two percent annual increase of the threshold value for stolen property or services, rounded up to the nearest dollar, beginning on January 1, 2017, and on January 1 of each year thereafter; and
- (3) Changing the effective date to upon approval.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 569, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 569, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



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